

California Emergency Management Agency



Fiscal Year 2009 Operation Stonegarden Grant Program –Supplemental

***California Supplement
Federal Program Guidance and Application Kit***

September 10, 2009

STATE OF CALIFORNIA

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Section 1 – Application Resources

Federal Program Guidance and Updates	<p>The U.S. Department of Homeland Security (US DHS)/Federal Emergency Management Agency (FEMA) published the <i>Fiscal Year (FY) 2009 Operation Stonegarden Supplemental(OPSG-S) Program Guidance and Application Kit on August 11, 2009.</i></p> <p>The <i>Guidance and Application Kit</i> may be obtained at: http://www.fema.gov/pdf/government/grant/opsg/fy09_opsg_s_guidance.pdf</p>
Operational Orders	<p>The template for the Operational Orders can be obtained at: http://www.fema.gov/government/grant/opsg/index.shtm</p>
Press Release	<p>The US DHS issued a Press Release announcing the <i>FY 2009 OPSG-S on August 11, 2009.</i></p> <p>The Press Release can be obtained at: http://www.dhs.gov/ynews/releases/pr_1250005826355.shtm</p>
Frequently Asked Questions	<p>The US DHS issued a Frequently Asked Questions (FAQ) Sheet on the <i>FY 2009 OPSG-S on August 11, 2009.</i></p> <p>The FAQ Sheet can be obtained at: http://www.fema.gov/pdf/government/grant/opsg/fy_2009_opsg_s_faq.pdf</p>
California Supplement	<p>The <i>California Supplement</i> to the Federal Program Guidance is intended to complement, rather than replace, the federal guidance published by the US DHS National Preparedness Directorate. It is recommended that applicants read thoroughly the federal guidance before referring to the State Supplement. Funding availability, eligible applicants, allowable costs and other key information is described in the federal guidance and application kit.</p>

Section 2 – Timeline

FY 2009 OPSG-S Sub-grantee Timeline	US DHS announcement of FY 2009 OPSG-S	August 11, 2009
	SAA applications due to FEMA	August 25, 2009
	FY 2009 OPSG-S State Supplement release	September 10, 2009
	US DHS Award (no later than)	September 30, 2009
	Deadline to submit Operational Orders	September 30, 2009
	Grant Performance Period Begins	October 1, 2009*
	Successful sub-grantee applications due to Cal-EMA	October 30, 2009*
	Sub-grantee performance period ends	June 30, 2012*
	Final requests for reimbursement due	June 30, 2012*
	SAA Performance Period Ends	September 30, 2012*

*** Date approximate depending on US DHS award date**

Section 3 - Overview

Funding Availability	<p>The FY 2009 OPSG-S makes available \$30,000,000 to the four southwest border states. Funds are available to support operational efforts along our nation's southwest border. FY 2009 OPSG-S funds cannot be supplanted for operations that are funded with other Federal funding sources, such as Coast Guard, Immigration and Customs Enforcement (ICE), Community Oriented Policing Services (COPS), Port Security Grant Program (PSGP), etc...</p>
Grant Performance Period	<p>Thirty-six (36) months from date of grant award to Cal-EMA.</p>
Review Criteria /Evaluation Process	<p>The FY 2009 OPSG will use risk-based prioritization using U.S. Customs and Border Protection (CBP) Sector-specific border risk to include, but not limited to: threat, vulnerability, miles of border, and other border-specific "law enforcement intelligence." Each applicant's final funding allocation will be determined using a combination of the results of the risk analysis and feasibility of the Operations Orders.</p> <p>The following process will be used to provide final approval to Operation Orders submitted under the FY 2009 OPSG-S:</p> <p>FEMA will verify compliance with all administrative and eligibility criteria identified in the application kit.</p> <p>CBP/BP Headquarters and FEMA will provide a review for completeness and adherence to programmatic guidelines, as well as consideration of need and impact.</p> <p>CBP/BP Headquarters and FEMA will evaluate the Operations Order on allowability and the anticipated feasibility of activities.</p> <p>Upon award, the recipient may only fund activities included in an approved FY 2009 Supplemental Updated Operations Order submitted to DHS, and evaluated through the Federal review process.</p> <p>Please note: Applicants may either create a new Operations Order, specifically for FY 2009 OPSG-S, or amend the original FY 2009 OPSG Operations Order to include the plans/budget for FY 2009 OPSG-S.</p>

Award Date	FEMA will evaluate and act on applications as quickly as possible following the close of the application period. Awards will be made on or before <u>September 30, 2009</u> .
Eligible Applicant	Cal-EMA is the SAA for California and is the eligible grant applicant in the FY 2009 OPSG-S process.
Grantee Award	The award amount for California is: \$7,391,931.
Eligible Sub-Grantees	The eligible sub-grantees for OPSG-S are the San Diego County Sheriff's Department and the Imperial County Sheriff's Office
Sub-grant Award	<p>The sub-grant award amounts are as follows:</p> <ul style="list-style-type: none"> • San Diego County Sheriff's Department: \$4,992,606 • Imperial County Sheriff's Office: \$2,399,325

Section 4 – Sub-grant Application Process

Operations Order

Upon award, the recipient must either amend their original draft FY 2009 OPSG Operations Orders to include funding from the Supplemental awards, or create a separate Operations Order solely and uniquely for FY 2009 OPSG-S funds. The recipient may only fund activities included in an approved FY 2009 OPSG Operations Order submitted to DHS, and evaluated and approved through the Federal Review process. Each local unit of government at the county level or Federally-recognized tribal government recipient must amend their Operations Order in coordination with State and Federal law enforcement agencies, to include, but not limited to CBP/BP. Operations Orders that are developed at the county level should be inclusive of city, county, tribal, and other local law enforcement agencies that are eligible to participate in OPSG operational activities, and the Operations Order should address this in the Executive Summary. The details should include the names of the agencies, the points of contact, and the individual funding requests.

Upon award, each applicant is required to submit an annual budget addressing OPSG-S related costs and expenses as part of their amended Operations Order. This budget should be detailed and should serve to: (1) explain how the costs were estimated, and (2) justify the need for the costs incurred. For clarification purposes, the Operations Order may include tables describing cost and expense elements (e.g., equipment, fuel, vehicle maintenance costs).

See Part IV of FY 2009 OPSG Federal Guidance and Application Kit for Operations Order Template.

Operational Order Submittal

Submit completed Operations Orders on to the Office for Domestic Preparedness (OPD) Secure Portal at: <https://preparednessportal.dhs.gov>

NOTE: New applicants must register with ODP before posting their Investment Justifications in order to receive a Login name and Password.

Step 1: Register and/or Login to ODP Secure Portal

Step 2: Click on 'Library' link

Step 3: Click on 'FY2009 OPSG -Supplemental' folder, or the 'FY2009 OPSG Amended Operational Orders'.

Step 4: To upload the Operations Order, click 'Upload Document'.

Cal-EMA will submit the application for California via Grants Management System (GMS) by the application due date.

Eligible Costs Operational Overtime (no more than 50 percent of the total award)
Operational costs associated with law enforcement activities, in support of border law enforcement agencies for increased border security enhancement. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (Public Law 110-412), all grantees are allowed to utilize up to 50 percent of FY 2009 OPSG funding for personnel related costs, which include overtime activities. At the request of the SAA, the Administrator may grant a waiver of the 50 percent limitation.

Fuel Cost and/or Mileage Reimbursement

Travel and Per Diem

Travel and per diem costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. Travel costs must be in accordance with applicable travel regulations. In addition, costs to support up to six (6) month deployment of law enforcement personnel to critical Southwest Border locations to support operational activities (travel costs must be in accordance with applicable travel regulations)

Part Time Personnel

FY 2009 OPSG-S funds may be used to pay additional current part time law enforcement personnel salaries in order to bring them to full time status.

Vehicle/Equipment Rentals

Vehicle/Equipment Maintenance

Fuel Cost and/or Mileage Reimbursement

The reimbursement cap for operational activities is removed under the FY 2009 OPSG-S.

Equipment

FY 2009 OPSG-S funds may be used for equipment replacement costs and acquisition of equipment listed under the FY2009 OPSG equipment categories found in the Authorized Equipment List (AEL). The FY 2009 OPSG AEL is available in its entirety online through the Responder Knowledge base (RKB) at <http://www.rkb.us/>

Activate reserve, state, local, and tribal law enforcement personnel

Backfill

Costs associated with backfill for personnel supporting operational activities.

**Non-Eligible
Costs**Unallowable Costs

Unallowable costs include costs associated with staffing and general IT computing equipment, and hardware such as personal computers, faxes, copy machines, modems, etc. The FY 2009 OPSG-S is not intended as a hiring program. Applying funds toward hiring full-time or permanent sworn public safety officers is also unallowable. FY 2009 OPSG-S funding shall not supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and Federal law enforcement agencies.

Management and Administrative (M&A) Costs

M&A costs are not allowable under FY 2009 OPSG-S

Section 5 - Post DHS Award – Sub-grant Application

Sub-grant Application Components

Successful applicants will be required to submit applications to Cal-EMA prior to final award of grant funds.

A completed application will include all of the following components.

- **Completed Cal-EMA Financial Management Forms Workbook**
 - Submitted electronically to the ODP Secure Portal
 - Application Cover Sheet
 - Grant Management Roster
 - Project Ledger
 - Project Description
 - Equipment Inventory Ledger
 - Training Roster
 - Authorized Agent form with appropriate signatures
- **Governing Body Resolution – Mailed**
- **Signed Original Grant Assurances – Mailed**

The **Financial Management Forms Workbook** can be found at http://www.ohs.ca.gov/grants_fiscal_reporting.html

Sub-grant Application Approval

The sub-grantee will receive written notice of Cal-EMA approval of the sub-grant application.

Post Award Modifications

Post award budget, scope and time modifications must be requested using the **Cal-EMA Financial Management Forms Workbook**, by the sub-grantee's Authorized Agent, and submitted to the sub-grantee's Program Representative in the Infrastructure Protection Grant Unit of Cal-EMA. Upon approval the sub-grantee will be instructed to make the required changes in the National Preparedness Directorate's Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> .

The sub-grantee may implement the modifications, and incur associated expenses, **after** receiving **written final approval** of the modification from Cal-EMA.

NOTE: Modifications can be requested once per quarter during the grant performance period. Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance of that part of the grant.

Sub-grantee Performance Reports Sub-grantees must prepare and submit performance reports to Cal-EMA for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. Sub-grantees must complete a Biannual Strategy Implementation Report using the Grant Reporting Tool (GRT), at <https://www.reporting.odp.dhs.gov/> and will also be required to submit additional information and data requested by OHS.

Monitoring Sub-grantee Performance Cal-EMA is currently conducting a program of sub-grantee monitoring. The monitoring will be conducted on the sub-grantees administrative, programmatic and fiscal management of the grant(s).

These reviews may include, but are not limited to:

- Eligibility of expenditures
- Comparing actual sub-grantee activities to those approved in the sub-grant application and subsequent modifications, if any.
- Ensuring that advances have been disbursed in accordance with applicable guidelines.
- Confirming compliance with:
 - Grant Assurances.
 - Information provided on performance reports and payment requests.
 - Needs and threat assessments and strategies.

Suspension or Termination

Cal-EMA may suspend or terminate sub-grant funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failing to expend funds in a timely manner consistent with the grant milestones, guidance and assurances.
- Failing to comply with the requirements or statutory objectives of federal or state law.
- Failing to make satisfactory progress toward the goals or objectives set forth in the sub-grant application.
- Failing to follow grant agreement requirements or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- Failing to submit required reports.
- Filing a false certification in the application or other report or document.
- Failing to adequately manage, monitor or direct the grant funding activities of their sub-recipients.

Before taking action, Cal-EMA will provide the sub-grantee reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

Closeout

Cal-EMA will close a sub-grantee award after:

- Receiving a sub-grantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and
- Reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the sub-grantee:

- Is owed additional funds, Cal-EMA will send the final payment automatically to the sub-grantee.
- Did not use all funds received, Cal-EMA will issue an Invoice or Grant Modification letter to recover unused funds.

In the **Grant Closeout letter**, Cal-EMA will notify the sub-grantee of the start of the record retention period for all programmatic and financial grant related records.

NOTE: Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

**Payment
Request
Process**

To request reimbursement payment of FY 2009 OPSG-S funds, complete a payment request form using the Cal-EMA Financial Management Forms Workbook and return it to the appropriate Program Representative in the Grant Administration Unit at Cal-EMA.

Cal-EMA Financial Management Forms Workbook

http://www.ohs.ca.gov/grants_fiscal_reporting.html

***NOTE:* Payments can only be made if the sub-grantee has an approved Financial Management Forms Workbook, valid Governing Body Resolution, and valid Grant Assurance form.**

**Financial
Management
and Reporting
Workshops**

Cal-EMA conducts regular workshops on grants management, financial management and grant reporting. Please contact your Cal-EMA Program Representative for more information.